



PA 25-117—SB 1312

Labor and Public Employees Committee

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LABOR DEPARTMENT

SUMMARY: This act makes various changes to the Labor statutes. It:

1. decreases, from 60 to 40 days after a quarterly statement is provided, the amount of time an employer has to file a written protest with the Department of Labor (DOL) on the payment of unemployment insurance benefits due to alleged fraud or error;
2. changes the unemployed workers' advocate position from one that serves at the labor commissioner's pleasure to a full-time position in the state employee classified service;
3. requires physicians, physician assistants (PAs), and advanced practice registered nurses (APRNs) to report suspected occupational diseases to DOL (the provision is generally similar to one repealed in 2022);
4. eliminates a provision on how employees paid through the Shared Work Program affect their employer's experience rate for unemployment insurance (UI) taxes; and
5. makes a technical change to the labor statutes.

EFFECTIVE DATE: October 1, 2025, except the provisions on occupational disease reporting (§ 3) and a technical change (§ 4) are effective upon passage.

§ 3 — REPORT OF SUSPECTED OCCUPATIONAL DISEASE

The act requires physicians, PAs, and APRNs to report certain types of occupational illnesses to DOL. This includes illnesses from exposure to (1) lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds; (2) anthrax; (3) compressed air; or (4) any other disease contracted because of the nature of the person's occupation.

Under the act, a physician, PA, or APRN must, within 48 hours after discovering a suspected occupational disease, give DOL a report stating (1) the person's name, address, and occupation; (2) the employer's name, address, and business; (3) the nature of the disease; and (4) any other information required by DOL. The report is not admissible as evidence for a civil action or a workers' compensation claim. If the provider does not make the report within the required timeframe, the labor commissioner may impose a civil penalty of up to \$10.

Under the act, the labor commissioner may investigate and make recommendations on eliminating or preventing reported occupational diseases. But the information gathered by the commissioner is not admissible as evidence for a civil action or a workers' compensation claim.

The act permits DOL to share information in these reports with the Department

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of Public Health for the department's disease surveillance, prevention, and control efforts.

§ 5 — SHARED WORK PROGRAM NON-CHARGE

In general, a portion of an employer's UI taxes are based on the employer's "experience rate," which reflects the amount of unemployment benefits paid to the employer's former employees over a certain period. The law, however, allows several non-charging separations in which an employee can collect benefits without affecting a former employer's experience rate. (The benefits paid to the former employee are "pooled" and paid by all employers who pay unemployment taxes.)

The act eliminates a provision that permitted a non-charge for employees who were paid benefits through the Shared Work program for claims filed in a week in which the state's average unemployment rate was 6.5% or more based on the most recent three months of DOL-published data. For more drastic spikes in the unemployment rate, the repealed provision also authorized the DOL commissioner to allow a non-charge for these employees for claims filed in a week in which the state's average unemployment rate was 8% or more in the most recent month of DOL-published data. (The Shared Work Program is a voluntary program that allows employers to reduce their employees' work hours in place of layoffs. The affected employees receive a proportionally reduced unemployment benefit.)